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7 COUNTY OF CONTRA COSTA, JOSHUA PATZER, and  
WARREN RUPF

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

11 SHAWN DAY, individually and as  
12 successor in interest to the Estate of Steffen  
Matthew Day.

13 Plaintiff,

14                          vs.  
15 COUNTY OF CONTRA COSTA;  
16 JOSHUA PATZER; WARREN RUFF, and  
Does 1 through 50, et al.,

17 || Defendants.

Case No. C07-4335 PJH

**STIPULATION AND [PROPOSED]  
ORDER EXTENDING THE MEDIATION  
DEADLINE**

Judge: Hon. Phyllis J. Hamilton

IT IS HEREBY STIPULATED between the parties that due to an unanticipated difficulty with the scheduling of the mediation in this matter, complicated by the unanticipated unavailability of a key representative of the County of Contra Costa, the parties have had to reset their mediation in this matter. The mediation was initially set by the parties for March 20, 2008. After the mediation date was set, it was determined that there was an unavoidable conflict with that date by a key representative of the County of Contra Costa. As such, the mediation was recently rescheduled and is now confirmed and set to go forward on April 30, 2008.

26 Per the Court's Case Management and Pretrial Order of November 30, 2007, the parties  
27 were supposed to complete mediation within 120 days of the order, essentially by March 30<sup>th</sup>.  
28 Due to the reasons stated above, the parties were unable to complete mediation by March 30<sup>th</sup>,

**STIPULATION AND ORDER EXTENDING THE  
MEDIATION DEADLINE - Case No. C07-4335 PJH**

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1 though their original mediation date was within that time frame. The parties now need at least a  
2 one month extension to complete the mediation, which is currently set for April 30<sup>th</sup>. All parties  
3 are available for this mediation date which has recently been confirmed by the docket filing by  
4 the Court on March 19, 2008.

5 This requested extension will not impact any other dates from the Court's November 30<sup>th</sup>  
6 Case Management and Pretrial Order. This is the first request by the parties to modify the  
7 Court's November 30<sup>th</sup> Case Management and Pretrial Order and good cause is present for such  
8 modification due to the unanticipated complication in scheduling the mediation.

9 **IT IS SO STIPULATED.**

10  
11 Dated: March 20, 2008

CASPER, MEADOWS, SCHWARTZ & COOK

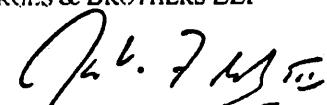
12  
13 By:

  
Andrew C. Schwartz, Esq.  
Larry Cook, Esq.  
Attorneys for Plaintiff  
SHAWN DAY

14  
15  
16 Dated: March 20, 2008

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17  
18 By:

  
James V. Fitzgerald, III  
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COUNTY OF CONTRA COSTA, JOSHUA PATZER,  
and WARREN RUFF

## ORDER

The parties have demonstrated good cause to modify the Court's November 30, 2007, Case Management and Pretrial Order in this matter as follows:

Mediation shall now be ordered to be completed by May 2, 2008.

## IT IS SO ORDERED.

Dated: March 21 , 2008

